

REMARKS/ARGUMENTS

Claims 1-30 are pending in the present application.

This Amendment is in response to the Office Action mailed June 20, 2003. In the Office Action, the Examiner rejected claims 1, 2, 5-7, 9-12, 15-7, 19-22, 25-27, 29, 30 under 35 U.S.C. §102(a); and claims 3, 4, 13, 14, 23, 24, 8, 18, 28 under 35 U.S.C. §103(a). Applicant has amended claims 1, 11, and 21. Reconsideration in light of the amendments and remarks made herein is respectfully requested.

Rejections Under 35 U.S.C. § 102 and § 103(a)

In the Office Action, the Examiner rejected claims 1, 2, 5-7, 9-12, 15-7, 19-22, 25-27, 29, 30 under 35 U.S.C. §102(a) as being anticipated by U.S. Patent No. 6,509,779 issued to Yue et al. ("Yue"). In addition, the Examiner rejected claims 3, 4, 13, 14, 23, 24 under 35 U.S.C. §103(a) as being unpatentable over Yue in view of U.S. Patent No. 5,969,929 issued to Kleveland et al. ("Kleveland") and claims 8, 18, 28 under 35 U.S.C. §103(a) as being unpatentable over Yue in view of U.S. Patent No. 6,414,849 issued to Chiu ("Chiu")

In response, Applicant has amended claims 1, 11, and 21. Applicant respectfully traverses the rejections and contends that the Examiner has not met the burden of establishing a prima facie case of anticipation or obviousness.

Yue discloses a system for providing electrostatic discharge protection for high-speed integrated circuits. An inductor is connected in series between a conductor and an ESD protection circuit via another conductor (Yue, Col. 3, lines 48-51).

Kleveland discloses a distributed ESD protection device for high speed integrated circuits. A distributed ESD protection circuit uses a resistor in series with a diode as an ESD element (Kleveland, Col. 5, line 31-33). Another embodiment uses thick field oxide transistors for ESD elements. The circuit includes a pad, transmission line elements, diode configured NMOS transistors, and a buffer (Kleveland, Col. 5, line 46-50)

Chiu discloses a low stress and low profile cavity down flip chip and wire bond BGA package. A thermoset transfer molding process from a liquid crystal polymer (LCP) plastic is used to form package substrates, each having upraised standoff posts and a central cavity much deeper than the integrated circuit die thickness (Chiu, Col. 6, lines 64-67; Col. 7, lines 1-5).

Yue, Kleveland and Chiu, taken alone or in any combination, does not disclose, either expressly or inherently, suggest, or render obvious, an ESD clamp circuit to clamp a supply voltage at a predetermined level to provide protection from a voltage surge or a high current spike when the ESD event occurs. Yue merely discloses an inductor used in conjunction with an ESD circuit. Kleveland merely discloses various embodiments of a distributed ESD device. Chiu merely discloses a wire bond BGA package. None of them discloses or suggests a clamp circuit. Claims 1, 11, and 21 have been amended to provide further specificity to the claim language.

To anticipate a claim, the reference must teach every element of the claim. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Vergegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the...claim." Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ 2d 1913, 1920 (Fed. Cir. 1989).

The Examiner failed to establish a prima facie case of obviousness and failed to show there is teaching, suggestion or motivation to combine the references. "When determining the patentability of a claimed invention which combined two known elements, 'the question is whether there is something in the prior art as a whole suggest the desirability, and thus the obviousness, of making the combination.'" In re Beattie, Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co., 730 F.2d 1452, 1462, 221 USPQ (BNA) 481, 488 (Fed. Cir. 1984). "To support the conclusion that the claimed invention is directed to obvious subject matter, either the references must expressly or implicitly suggest the claimed invention or the Examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references." Ex parte Clapp, 227 USPQ 972, 973. (Bd.Pat.App.&Inter. 1985).

Therefore, Applicant believes that independent claims 1, 11, 21 and their respective dependent claims are distinguishable over the cited prior art references. Accordingly, Applicant respectfully requests the rejection(s) under 35 U.S.C. §102(a), and 35 U.S.C. §103(a) be withdrawn.

Conclusion

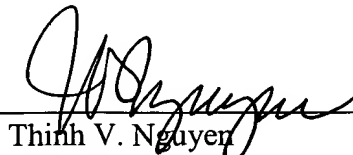
Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: September 22, 2003

By



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